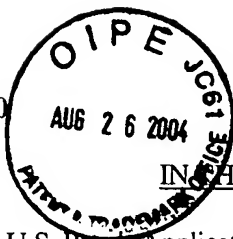


91820



PATENT

1FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Applicant: Alex LEVIT et al.

Serial No.: 10/812,321

Filed: March 29, 2004

For: LYER-3 NETWORK ROUTING WITH  
RPR LAYER-2 VISIBILITY

)  
) I hereby certify that this correspondence is being  
) deposited with the United Postal Service as first  
) class mail in an envelope addressed to:  
) Commissioner of Patents, P.O. Box 1450,  
) Alexandria, VA, 22313-1450, on

) August 24, 2004

)   
) Gerald T. Shekleton Reg. No. 27,466

**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

☒ 1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☒ B. before the mailing date of a first office action on the merits..

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual

designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. \_\_\_\_\_).

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in § 1.17(i), presently believed to be \$130 is enclosed (check no. \_\_\_\_\_). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

☐ A. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_ and in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO- 1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document(s) \_\_\_\_\_ is(are) not in the English language. In accordance with 1.98(c), Applicant states:

☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) \_\_\_\_\_ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows:  
[Insert concise explanation of relevance]

☐ A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification.

☐ A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ 5. Other information being provided for the examiner's consideration follows:

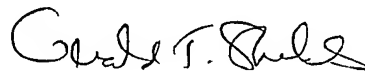
6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

**CROSS REFERENCE UNDER 37 C.F.R. § 1.78 TO RELATED APPLICATIONS**

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Respectfully submitted,

**WELSH & KATZ, LTD.**



Gerald T. Shekleton  
Registration No. 27,466

Dated: August 24, 2004

**Welsh & Katz, Ltd.**

120 South Riverside Plaza, 22nd Floor  
Chicago, Illinois 60606  
Telephone: 312-655-1500



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Submitting form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

### Complete if Known

Application Number	10/812,321
Filing Date	March 29, 2004
First Named Inventor	Alex LEVIT et al.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	91820

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		3,411,507	11/19/1968	Wingrove	
		4,535,785	08/20/1985	Van den Honert et al.	
		4,573,481	03/04/1986	Bullara	
		4,602,624	07/29/1986	Naples et al.	
		4,608,985	09/02/1986	Crish et al.	
		4,628,942	12/16/1986	Sweeney et al.	
		4,649,936	03/17/1987	Ungar et al.	
		4,702,254	10/27/1987	Zabara	
		4,739,764	04/26/1988	Lue et al.	
		4,867,164	09/19/1989	Zabara	
		4,962,751	10/16/1990	Krauter	
		5,025,807	06/25/1991	Zabara	
		5,188,104	02/23/1993	Wernicke et al.	
		5,199,430	04/06/1993	Fang et al.	
		5,205,285	04/27/1993	Baker, Jr.	
		5,215,086	06/01/1993	Terry, Jr. et al.	
		5,263,480	11/23/1993	Wernicke et al.	
		5,282,468	02/01/1994	Klepinski	
		5,292,344	03/08/1994	Douglas	
		5,299,569	04/05/1994	Wernicke et al.	
		5,335,657	08/09/1994	Terry, Jr. et al.	
		5,423,872	06/13/1995	Cigaina	
		5,540,730	07/30/1996	Terry, Jr. et al.	
		5,540,734	07/30/1996	Zabara	
		5,571,150	11/05/1996	Wernicke et al.	
		5,690,691	11/25/1997	Chen et al.	
		5,707,400	01/13/1998	Terry, Jr. et al.	
		5,716,385	02/10/1998	Mittal et al.	
		5,755,750	05/26/1998	Petruska et al.	
		5,836,994	11/17/1998	Bougeois	
		6,097,984	08/01/2000	Douglas	
		6,091,992	07/18/2000	Bourgeois et al.	
		6,026,326	02/15/2000	Bardy	
Examiner Signature		Date Considered			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST .3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/812,321
				Filing Date	March 29, 2004
				First Named Inventor	Alex LEVIT et al.
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	3	Attorney Docket Number	91820

U.S. PATENT DOCUMENTS (cont'd)					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		6,083,249	07/04/2000	Familoni	
		6,104,955	08/15/2000	Bourgeois	
		6,205,359	03/20/2001	Boveja	
		2003/0103449 A1	06/04/2003	Barsheshet et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)				
		WO 01/10375				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
		Moy, "OSPF", Version 2, published as Request for Comments (RFC) 2328 of the Internet Engineering Task Force (IETF) Network Working Group, April 1998.	
		Herrera, et al., "A Framework for IP over Packet Transport Rings", (Internet Draft, draft-ietf-iporprframework-00).	
		Rosen, et al., in Request for Comments (RFC) 3031 of the Internet Engineering Task Force (IETF), entitled: "Multiprotocol Label Switching Architecture", January 2001. (Available at: <a href="http://www.ietf.org/rfc/html">www.ietf.org/rfc/html</a> ).	
		D. Tsang et al., Request for Comments (RFC) Draft Entitled: "Encapsulation Methods for transport of layer 2 Frames over MPLS", May 2001. (Available at: <a href="http://search.ietf.org/internet-drafts/draft-martini-12circuit-emcap-mpls-02.txt">search.ietf.org/internet-drafts/draft-martini-12circuit-emcap-mpls-02.txt</a> ).	
		Martine, et al., in an IETF Draft Entitled: "Encapsulation Methods for transport of layer 2 Frames over MPLS", May 2001. (Available at: <a href="http://search.ietf.org/internet-drafts/draft-martine-12circuit-encap-mpls-02.txt">search.ietf.org/internet-drafts/draft-martine-12circuit-encap-mpls-02.txt</a> .)	

Examiner Signature	Date Considered
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Substitute for form 1449/PTO		<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/812,321		
		Filing Date	March 29, 2004		
		First Named Inventor	Alex LEVIT et al.		
		Art Unit	Unassigned		
		Examiner Name	Unassigned		
Sheet	3	of	3	Attorney Docket Number	91820

		Martini, et al., Internet Draft, entitled: "Transport of Layer 2 Frames over MPLS", May 2001. (Available at: <a href="http://search.ietf.org/internet-drafts/draft-martini-12circuit-mpls-06.txt">search.ietf.org/internet-drafts/draft-martini-12circuit-mpls-06.txt</a> .)	
		Malkin, G., "RIP Version 2", RFC 2453, Nove. 1998, pp. 1-39.	
		Finlayson, R. et al., "A Reverse Address Resolution Protocol", RFC 903, June 1984, pp. 1-5.	
		Bradley, et al., in IETF RFC 1490, "Multiprotocol Interconnect over Frame Relay", July 1993.	
		Baker, et al., in IETF RFC 1638, "PPP Bridging Control Protocol (BCP)", June 1994.	
		Christensen, in IETF draft "MPLS Multicast over Ethernet" (draft-jagd-mpls-mcast-eth-00.txt, 2001).	
		Mamakos, et al, "A Method for Transmitting PPP Over Ethernet (PPPoE)", in IETF RFC 2516, February 1999.	
		Sajassi, et al., "L2VPN Interworking" (draft-sajassi-12vpn-interworking-01.txt, March 2003).	
		Marc Lasserre, et al., "Virtual Private LAN Services Over MPLS" (draft-lasserre-vkompella-ppvnp-vpls-01.txt), September 2002.	
		Deering, RFC 1112, "Host Extensions for IP Multicasting", August 1989.	
		T. Senevirathne, "Virtual private LAN Service (VPLS) Solution Using GRE Based IP Tunnels", (draft-tsenevir-gre-vpls-00.txt), February 2002.	
		Prayson Pate, et al., "Framework for Pseudo wire Emulation Edge-to-Edge (PWSE3)", (draft-ietf-pwe3-fraemwork-01.txt), June 2002.	
		W. Augustyn, et al., "Requirements for Virtual Private LAN Services" (draft-datz-yeung-pppf-traffic-06.txt), October 2001.	
		Katz, et al., "Traffic Engineering Extension ot OSPF", (draft-katz-yeung-ospf-traffic-0t.txt), October 2001.	
		Li, et al., "IS-IS Extensions FOR Traffic Engineering", (published as draft-ietf-isis-traffic-04.txt), August 2001.	
		Plummer, D., "An Ethernet address Resolution Protocol", RFC 826, Nov. 1982, pp. 1-9.	

Examiner Signature		Date Considered	
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